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TO THE ELECTORS AND PEOPLE

OF THE

TERRITORY OF OREGON.

FELLOW-CITIZENS: One year ago last June, I was elected by the constitutional electors then resident in our country, to represent the Territory of Oregon in the Congress of the United States. From that time to the present, I have, if I know myself, faithfully endeavored to discharge the arduous and numerous duties which that election devolved upon me; and how well I have done it, I shall leave you to consider and decide, after I shall have concluded what I propose to say in this address. The time for which I was elected is soon to expire, and you will be called on at no distant day, to pass in judgment on my course, and to make choice, solemnly, at the ballot-box, of some one to discharge the duties of that office which your judgment and generosity bestowed on me, and which I shall, in a very few months, surrender up into your hands. And before announcing myself to you as a candidate for re-election, I have deemed it not inappropriate to render you some account, at least, how I have discharged the duties of the office.

As soon as I was elected, I directed my undivided attention to the enquiry, How I might most effectually advance the measures and interests had in view by the people of Oregon in electing me. The choice of a Delegate into whose hands to deliver the varied interests of Oregon, and the personal interests, to a very large extent, of each of her citizens, was an act calling for grave reflection and due care on the part of those who had it to do. It was their right, as it was their duty, to do the best they could; and with this view each man cast about him for his man. That there should have been a diversity of opinion, and, consequently, of desire, and a conflict of choice, is not only *not* strange, but rational; and so far from auguring ill, it speaks well for the intelligence and providence of the people. Therefore, being the fortunate man at the election, I considered myself from the beginning, no more and no less, a servant of them who voted for me, and who aided in my election, than of them who voted against me and strove to defeat me. That all were conscientious, I do not wish to doubt; and that all were in the discharge of what they considered their duty, is quite as certain. Who misjudged, and who judged rightly, are not questions for me. The right to judge includes the right to make the mistake, if conscientiously made. It is sufficient for me to know and to believe, that each acted in accordance with his own judgment, and in conformity to what he believed to be the common good of the Territory. When the election was over, and the sound of strife died away, and the clangor of political arms were hushed, leaving men to hours of reflection and deeds of soberness, my own views of the duties of my office pointed to a very plain course, which invited all the better and more generous feelings of my manhood; and that was, to know but one common constituency, and to labor for all with a common heart and a common cordiality, without enquiring or wishing to know, who had been my supporters, and without stopping to ask, whether the man I could favor was Democrat or Whig, Greek or Jew.

Directing my enquiry towards Congress, I was no more at a loss what should be my political deportment in that body. It had been feared by some, no doubt honestly feared, and urged as an objection against me, that I should play the part of a rabid and radical partisan in Congress, and thereby jeopardize the success of my territorial measures. The effect of the *supposed* course was rightly predicted; but the prediction that such would be my course, I may be permitted to say, has failed to be verified, as men here, and even in Oregon, will bear me witness. I perceived at once, that Congress, being composed of two or more parties, there would be some men in each who would favor, and others who might oppose, every measure in which Oregon was interested. Hence, I saw at once that I could rely on neither party as a whole for the success of my measures. I must unite and combine strength from all, or I must fail. To do this, the reasoning was natural and the way plain, that I must take care to offend neither, but prudently manage, as far as possible, to please all. I therefore shut up the book of *partisan* politics, and if I read it at all, it was in my closet; and opened one in which the Whig and the Democrat, and the Free-soiler, the Northern man and the Southern man, might read in harmony together. I generally endeavored to know who to approach, and to approach him in such a manner as to be most likely to secure his aid, while I refrained from disputing with any one upon points where he and I might differ, particularly those upon which he was sensitive. Pursuing this course, I may say, and I trust it will not be deemed immodest in me, that I have the common respect and confidence of all parties in Congress. And when my measures came to the test, I

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had the pleasure of witnessing, practically, the policy of the course my judgment had dictated. Such has been my course in Congress, politically, and such it will be, while I have the honor of representing Oregon as a delegate in Congress. For however I might be elected, by whatever party or combination of parties, I should certainly deem it my duty, to be religiously observed by me, to represent the whole people with a uniform faithfulness, and in no case to sacrifice the common good of the Territory, and the general interests of the people, to aggrandize any party, any section, or any man. My political notions are well understood; they have been cherished from my boyhood, and they remain unchanged; but while I cherish them, and am ready to defend them on all *proper* occasions, I shall ever take good care not to *intrude* them on persons or bodies, to the detriment or ruin of those measures I am seeking for Oregon.

When I left my home for the Congress of the United States, on the 6th day of August, 1849, and bid adieu to what was dearer to me than all else on earth, I was not unmindful that I was betaking myself to hardships, that I was necessarily leaving my family to encounter many sufferings which the presence of a husband and father might ward off, that I was turning my back on chances almost unprecedented for making money, and that I was about to enter an arena, where, as in war, one's success, however accidental, is taken as the measurement of his capacity. I saw looking me fully in the face, the long neglected, and numerous and important interests of Oregon and her people, which had been heaping upon each other, more particularly since 1836; and I knew well, that to the two hundred and ninety-one members of Congress, as well as to the President and Heads of Departments, Oregon was comparatively a *terra incognita*—that her interests, and the interests, claims, and just expectations of her people, with the reasons for the same, were unknown to a vast majority, and, comparatively, but poorly understood by but few; and hence, that to secure the success of my measures, or any of them, I, a tyro in legislative experience, and almost wholly unknown in the whole field of operation, had the Herculean task imposed upon me, of throwing light into darkness, of causing the uninformed to understand, and of enlisting a majority of members, at least, of either branch of Congress, in favor of my measures. Upon arriving here I found the South and the North arrayed against each other, and then, each of these grand divisions divided into hostile factions against each other, and these doubly conflicting wars, and entangling strifes, all meeting in fearful clash on our coast as the battle ground. Here stood the Pacific, in the very angle of these cross fires, occupying very much the position to the parties in dispute that the green fields of Waterloo did to the opposing armies on the morning of the battle which decided the fate of Europe. The iron heel of strife did not stop to feel or to pity the prospective crops of the husbandman it was trampling into the earth. The South were struggling to preserve the balance of power, as they termed it, and seeing plainly, or thinking they saw, in every measure promotive of the growth of Oregon, the approaching step of another new State, the news of the success of every Oregon measure would naturally be to them as the unwelcome sound of her tramp approaching the Capitol for admission. New England and the Eastern States were far away from the seat of strife; she had but few of her sons in Oregon; she had become accustomed to deal with money, the soul of appropriations, according to the most rigid laws of economy; she was too likely to look upon land, everywhere, as she saw it at home, to be of great value, and as so much cash; and her present generation had not tasted the toils of a new country, or supped the cup of frontier life. The Southwest, of course, were ranged under the geographical divisions of the stalking strife; and though ever generous, she considered she owed a duty to herself. The Northwest, magnanimous almost to a fault, felt very severely the drain upon her men and money, arising from the rush to California and Oregon; and while the languishment of their business admonished them that every measure favorable to Oregon, or offering inducements to their citizens to emigrate thither, would be a drawback on the growth of themselves, they could not close their ear to the voice of friends far away, or turn away the draught unmitigated to others, they themselves had been previously called upon to drink. Yet even here, one could not fail to see that the path of all Oregon measures was liable to be beset by an enemy that could overthrow them. Such was my field of operation, and such the forces with which I had to contend. I stood alone in the capacity of a delegate, deprived of that lever and fulcrum for turning over a measure when it lies heavy side down, which the *vote* of a representative, in a close contest particularly, may be most appropriately styled; and I had no one from Oregon, or even from the coast, to bear me company, or help to raise the burden when it proved a little too heavy. I saw I had to act, but how, and when, was a question of painful solicitude to me. The elements of discord were so many and so fierce, that the moment I attempted to win one to my cause, I might array a half dozen against me; if I took sides, all other sides would be against me; and if I remained neutral, the cry might be, "He who is not for us is against us." You, fellow citizens, can easily see the perplexing position I was in. Many a night have I retired to bed, and ruminated, and rolled, and tumbled, till my brain and whole system became feverish, to devise plans by which I could *run the gauntlet*, or lead successfully *the forlorn hope*, with the measures of Oregon by my side. To hesitate, under the circumstances, was defeat; and to move, might be ruin. My judgment dictated but one course, and that was, to hazard all, even myself and my reputation, for those who had entrusted me with their interests, committing the result and myself into their hands who are ever generous in charity, kind to appreciate, inclined to forgive, but slow to condemn.

The enquiry may be made by some, why I did not, during the past session, bring forward and agitate *all* the questions in which Oregon is interested I at once discovered that it would be extremely hazardous to ask too many things at once, for the result of doing so might be, and probably would have been a failure to get what I did get. Very frequently when I would approach a man and solicit his aid for a specific measure, he would instantly ask me, How many more I had to bring forward. And there is nothing so hazardous to a man's success in getting his measures, as to tease members till they get weary of you. They are not like the unjust judge, they never vote for your measure to get rid of you; and it is a fact unmistakeable in legislation, however humbling it may be to the apologists of humanity, that a man's personal popularity and standing with the members have more to do, frequently, in procuring the success of his measures than the justness of those measures themselves. Hence. one has always to study to obtain, and retain if he has once got, the confidence of members. But if he asks too much, and burdens them with his demands, they suspect he means "*to rob* the Government," as it is called, and becoming suspicious of your measures, or of you, they will vote against them, when under the same circumstances, with confidence in you, and with the same information only, they would have voted for them. By overdoing, therefore, your measure might fail; and defeat at one session always lessens its chance the next. I therefore endeavored to bring forth no measure to a *test*, until I had the best of of reasons to anticipate its success. And it was my object, out of the numerous measures of interest to Oregon, to select those, and such a number of them, as I deemed to be the most applicable to our *immediate* wants, and the most safe to hazard. And the land question so far overtopped all others, in my judgment, that I did not hesitate to make *this* the paramount object of all my efforts. I discovered, at a very early day of the session, that the present was the golden moment, and that if the last session should pass without the land bill passing, it would be the funeral of all our hopes to get donation grants of public land. I found a very strong influence at work, emanating from land speculators, to prevent donations, and to bring the lands of Oregon into market. In this I discovered a well aimed blow to cripple for years, if not always, our future State. I also found a heavy influence here, emanating from the Hudson Bay Company, to prevent the success of the measure. George Saunders, Esq., the celebrated agent of the Hudson Bay Company, was here; he who offered the thousand dollars to H. H. Sibley, Esq., the Delegate from Minnesota, to get him to meddle in our affairs, and who also attempted to approach that growing statesman, Senator Douglass, on the same subject. He was busy and very ready to approach any one in behalf of that Company's interests whom he could. Sir George Simpson was also here; that man who aided to defraud Oregon of her mails for two years, defamed our rivers, and labored to cripple our commerce. This was a measure of such magnitude, and so full of deep interest to us all, that rather than jeopardise it by loading it with others, I determined I would delay many of them, for the last session at least, to secure the success of this. But ahead of this, there was one measure growing out of the necessities of the case—*the extinguishment of the Indian title to land in Oregon.* This was an obstruction in the way, and I applied myself immediately to its removal.

This law, you should understand, contains a new feature. All Territorial Governments, like ours when it was organized, have ever embodied the duties of Governor and Superintendant of Indian Affairs in one office. I was satisfied in my own mind, considering the superficial area of Oregon, and the number of her Indians and Indian tribes, with the foreign influence which has been, and probably will be for some time to come, brought to bear upon them, that, as a matter of safety to the people of the Territory, and as a blessing to the Indians themselves, the office of Superintendant of Indian Affairs should be filled by a man having no other duties to perform, so that he might be able to direct his undivided attention to the objects, on an enlarged scale, properly coming within the purview of his office. This would leave the Governor more time to attend to the civil affairs of the Territory, and to bend the whole of his energies to the promotion of the interests of the country over which he had been called to preside. With the salary the same as before, the office of Governor is shorn of none of its dignity, while that of Superintendant of Indian Affairs at once rises to an importance coextensive with the responsibilities it involves. Upon consulting the Committee of Indian Affairs of the Senate, before whom I brought the matter, while the House was yet in a state of chaos, I found they readily concurred in my plan, and at my written request, the Commissioner of Indian Affairs seconded my efforts, by a communication in writing to the Committee. This feature of the bill met opposition in the House Committee, but was sanctioned by a majority, and by untiring efforts I got the whole bill, unamended, reported by that Committee to the House as it came from the Senate. But the feature was again attacked when the bill was under consideration in the House, on the ground that it created a *new office*, and was an *inroad* on the uniform legislation of the country since the organization of the Government. But I carried it triumphantly; and it may not be considered out of place if I merely cite this to such, if there be any, as doubt my standing or my success with the House.

This bill provides for three Indian agents, to be located under the direction of the Superintendent, and a Board of Commissioners to treat with the Indians for their lands, west of the summit of the Cascade mountains, and for their removal to some point east of those mountains. I considered it best for the whites, and far better for the Indians themselves, to have the Indians removed to some spot, where, with the aid of their annuities which would be provided for by these

treaties, they could live in peace. With this view the Commissioners have power to treat for lands east of these mountains, to which to remove those Indians who reside west of them. As many offences as these Indians may have committed, we as a people, and to a very considerable extent their oppressors, ought never forget to exercise towards them an enlarged generosity, and strive, so far as we can, to make the descent of their race easy, and to soften, as much as in us lies, the bed of death to which the finger of destiny, through the onward march of the white man, points with unerring certainty as near at hand. And I have felt it my duty, to be approved I know by your better judgment, to do all in my power by way of Government appropriations and otherwise, to make their yoke easy and their burden light. Such I trust will be my course so long as I have the honor to have their interests, to any extent, entrusted to my care.

I fixed upon the summit of the Cascade mountains as the dividing line, being fully aware, however, that no very considerable time would elapse before the demand of the white settlements, before whose march this race melts away like the frost of the morning, would call for a portion of the country east of those mountains. Whenever that time arrives, I apprehend you will agree with me, that it will become necessary to open the way, by further treaties, dictated always, I hope, by the kindest feelings. I believe, too, you will agree with me, that at the present time, no less a quantity than that defined by the crest of those mountains would answer the demand now existing or soon to exist in Oregon.

The appropriation in this bill was *twenty-five thousand dollars*. Some may wonder why I did not strive for a larger sum. This sum was *purposely* fixed small, for I was *picking* the lock to the door through which my land bill must pass to see light. I desired as little noise as possible, and I dreaded to awake the watch dogs of the Treasury, lest the alarm might be given and my effort fail. So, having first ascertained that *any sum* would ensure the concluding of the treaties, and knowing that those treaties would contain the stipulations relative to the amount to be paid for the land, and that when those treaties should be ratified by the Senate, the amount so to be paid *must* be appropriated, I professed myself quite satisfied with that sum. While this statement gives you the reason for the *size* of the appropriation, it also shows you the object I had in view in preferring it. The result was as I had predicted, a common interchange of the remark among members, that I was reasonable in my demands, and *therefore* should have them granted. This bill passed, and I had the satisfaction to see the door open and the way clear before the progress of the land bill.

While I am upon this subject, I may as well conclude the narrative of what I have done for our Indian affairs, and the amount of money I have got appropriated for this Department.

When the deficiency appropriation bill was under consideration in the House, having previously cast my eye over Gov. Lane's report to the Department, and learning there was a want of money, I seized the first opportunity to meet the demand. This bill had been reported upon estimates made by the Departments, but included no appropriation to meet our case, as the report did not arrive in time for the purpose. It is well understood that all amendments proposed by members after the bills are reported, if not having the consent of the Committee, are looked upon with suspicion, and none are likely to have the consent of the Committee at that period, unless recommended by the Department. I had neither of these for want of time, after I had read the report; but I resolved to make the effort, and did so, and a sketch of my remarks upon the occasion many of you may have seen published in the Spectator. The result was the adoption of an amendment, *by a unanimous vote*, appropriating ten thousand dollars for that purpose.

And the bill as amended passed the Senate. I took the earliest measures to have the money forwarded. This and the other appropriation amounted to *thirty-five thousand dollars*.

But I did not stop here. Upon consultation with the Commissioner of Indian Affairs, he informed me he could use to advantage more money in the management of our Indian affairs. So I addressed him a letter on the subject, as a basis for one from him to the Committee on Indian Affairs, to whom I applied for fifteen thousand dollars more, to be appropriated in the Indian appropriation bill. After appearing before the Committee and stating my reasons at length for the application, it passed the Committee, and subsequently both Houses of Congress.

This swelled the appropriation for Indian affairs in our Territory to *fifty thousand dollars*. But still there was another chance. The Civil and Diplomatic appropriation bill was yet to come up. If I could get an appropriation into this for the salaries of the officers of the Indian Department of Oregon, and their expenses, &c, it would save so much from being taken out of the appropriations I had already obtained. Hence, when that bill came up, I offered the following amendment:

"For salary of Superintendant of Indian Affairs, three Indian agents, and for office rent, wood and lights, stationery, and clerk hire, ten thousand dollars."

Which, after giving my reasons for the same, was adopted. Thus, in one session, and that my first, I obtained appropriations to the amount of *sixty thousand dollars* for Indian matters in Oregon, and completed the basis, by the passage of my Indian bill, by which *millions* will be spent for the same purpose hereafter in our Territory. I make no comments; this is a part of my account I render to you, upon which, when you shall have read it and reflected, you will pass such judgment as becomes a sober and intelligent people. This bill laid the basis for millions to be expended among us for the purchase of those same lands I was about to ask Congress to give

away, to a very large extent, to our people. Thus, one embarrassment after another rose up like so many unwelcome visiters and harbingers of evil to that measure, on which the hopes of Oregon rested And how did my heart sicken within me, as I awoke in the morning, frequently more wearied than when I fell asleep, to remember the dreams of conflicts and uneven strifes I had had in its defence during the night!

When I commenced my operations for the Land Bill, I soon discovered the iufluences to work, which I have before named. I discovered, also, that there was an under current at work, having in view, that if it was found the Land Bill would pass, to procure its passage in such a shape as to *perpetuate* and *enlarge* the British influence in our Territory. To my great astonishment I found the Commissioner of the General Land Office unfavorably impressed with the idea of donations of land in Oregon, *not* from considerations of interest to the Company, being of the opinion that it would not do to depart from the *antiqua via*, or to make inroads upon the long-established practice of the Government. Sir George Simpson was soon on the ground, and private interviews were sought by him with the Secretary of State, Mr. Clayton, and heavy influences brought to bear upon him, to get him to bring the question of the Hudson Bay Company's rights, and those of British subjects, before the Senate. The cry was raised that nothing could be done till this question was settled, and that it would be hazardous to make grants of lands where there were conflicting claims, lest the Government might be brought to pay heavy damages, and be brought into conflict with Great Britain, who, it was said, as usual, would protect, by force and arms, the rights of her subjects. To make this the more plausible, a pamphlet was circulated among members, purporting, as it was, to be the opinion of certain distinguished lawyers, bought up for the purpose of influencing Congress, going to show that the Hudson Bay Company owned the *whole* of the country north of the Columbia, with an addenda signed by one of *our* citizens, exaggerating the value of the possessions of the Hudson Bay Company at Van Couver. There was also at the outset an impression among members, that *all* our people had been to the gold mines, as it was said by the Hudson Bay Company's calumniator of Oregon, writing from Van Couver, and that you were all burdened with gold, and could pay for the land as well as not. On the heel of this, mail after mail brought exaggerated accounts "of rich gold mines in Oregon," suddenly creating the impression, comparatively speaking, that the whole surface of our earth rested on a substratum of pure gold. No one but myself knows, or can realize, with what fear and trembling I awaited the arrival of every mail, lest with it might come the weapons of death to my Land Bill. But cheered on with the vivifying reflection that I was your servant, and that you had placed, as it were, the keys of your fortunes in my hands, and clad me in armor for the defence of your rights, placing a weapon in my hands, and virtually saying to me, as did the Grecian mother to her son, "return with this or upon it;" I deliberately entered the contest, secretly vowing in my own mind, that with the blessing of Providence, I would obey the injunction.

My first enquiry was, to ascertain in what branch of Congress I could start the measure with the greatest prospect of success. In the Senate I was met, in the outset, with the declaration, that such a proposition *should be opposed*; and I was frankly told by one Senator in particular, that Oregon could be treated in no way differently from what other Territories had been, and that it was not desirable to favor the growth of the Pacific coast, for the reason that it would swell the influence and power of the free States, which it was said was large enough already. I saw from the outset, therefore, that the measure would meet a *heavy* opposition there, and the history of the bill, as subsequently developed, will show the truth of the prediction. Upon casting about in the House, I found a better state of things, and that there was an artery terminating *there*, and running back into the hearts of the people, whose every pulsation forced the warm blood of generosity and sympathy into the whole frame of this popular body. *Here*, then, was my field of operation, and *here* the ball must be put in motion.

There were two Committees in the House—that on Territories, and that on Public Lands—either of which might properly take cognizance of this matter. But if a Land Bill is reported by the Committee on Territories, for a Territory, the ordinary method is, when the bill is reported from the Committee on Territories, to have it referred to the Committee on Public Lands for examination and revision. If it is found, however, that the Committee on Public Lands are opposed to the measure, particularly if it is previously ascertained that a majority of the House are in favor, when the bill is reported from the Committee on Territories, the strength of parties may be tried on the motion to refer, which a majority may refuse, and retain the bill for final action. This was the course I intended to pursue, if necessary. Having previously ascertained that the way was *clearer* in the Territorial Committee than in that on Public Land, I brought the matter before the former, intending to *count noses* in the other, meantime. It was my object to get the report of both Committees favorable, if possible, because the concurring influence of both is vastly greater than that of one only; while a clash between Committees would almost be fatal. While the matter was progressing before the Territorial Committee, I found that a decided majority of the Land Committee could be relied on. So, when the bill was reported by Dr. Graham N. Fitch, of Indiana, who should always be gratefully remembered by the people of Oregon, for his untiring efforts in their behalf, it was on his motion, previously understood betwixt him and me, referred to the Committee on Public Lands. In that Committee, to my astonishment, a desperate effort was made to introduce features into the bill whose effect would have been to *perpetuate* and *enlarge* that interest I have named, and to operate *utter ruin* to Oregon. I would by no means intimate that such was the intention, but such

would have been the effect. Knowing no man's motives, I would not wish to impeach them. However, the bill with slight amendments was sustained triumphantly, with nothing more serious taking place during its discussion before the said Committee, than one member's refusing to meet the Committee thereafter on the subject, declaring the Government was *robbed of all* the land in Oregon. The bill was at length reported, and after passing through various ordeals, and making some hairbreadth escapes which I cannot now detail, but of which I may hereafter speak to you in public, it was finally passed, and is now the law of the land. The day of its passage I consider a proud one for Oregon, and I shall look upon it during my whole life, whatever may be my fortunes hereafter, as the *day star* to Oregon's greatness; and I trust I may be allowed, without censure or the suspicion of vanity, to remember with heartfelt satisfaction, to the day of my death, the humble part I have been permitted, through your confidence, to play in the matter. And it being the law of the land, you must indulge me while I examine some of the features of that bill, and present to you a few of the reasons which led to them, with my justification for the part I had to do with them.

The bill as you are aware gives 640 acres of land to all *married* men, subject to certain qualifications, found in Oregon before the 1st of December, 1850; and 320, *absolutely*, to the *unmarried*, with a condition that if such unmarried persons marry in one year from the above date, they are to receive 640. In both of the above cases, one half of this land is to belong to the wife in her own right, and the single man will be allowed to retain his whole section undisturbed to await the event of his choice.

Here I must address myself more particularly to those single men in the Territory who took a full claim under the Provisional Government, or by custom, after that Government ceased to exist. I regret, exceedingly, that I was not able to secure the full claim to each single man; but finding this impossible, I determined to get all I could.

Upon approaching members of Congress on the subject of donations, aside from the difficulties already enumerated above, I found them *generally startled* at the magnitude of my demand. They at once said, it will be injurious to your country, operate against your schools; and coming from States where *farms* were generally smaller than the quantities of land I asked, they could not see the propriety or the justness of the request. Citing the former action of both Houses, and of our Provisional Government, was to many of them of no avail; and it was with extreme chagrin that I found *the friends* of Oregon, to a very considerable extent, *concentrating* on 320 acres as the *maximum* amount to be granted in any case. I found them *still more* inclined to limit single men to 160 acres. I knew your situation and your just expectations, and it was a tight place for me to be in. I saw but two ways before me, neither of which I was determined to take until I had exhausted every art which *management* could devise; and those were, to take this minor quantity as a donation, or abandon that idea altogether, and strike for pre emption rights. I concluded to strike *one nail at a time*, so I appealed to their *sympathy* on the ground that our married men came to Oregon with the expectation of a full section; that they had taken it, and that they had large families growing up, which would make it necessary in a very short time, for the father to subdivide this section into farms of small dimensions for his boys. I assured them that our *mothers* were watching with intense anxiety their action, and that they had a right, calling as they did, from the very verge of the nation, having suffered every thing but death in reaching the country, to expect a liberal specimen of enlarged generosity. My appeal carried, and I had the pleasure of seeing one point gained.

In making this point, I had, as a matter of course, made the single men safe in a grant of at least 320 acres. But I determined to do all I could, so I raised the cry to them that we had but a few people, and that it was absolutely necessary, as a matter of *safety* to us, and as a saving of expense to the Government, to put us in an attitude of self-defence, by multiplying our population. I then asked *time* for such of you as might be single, alleging that the result might be marriages, and a consequent increase in population, and in this way carried the provision securing you in the entire section, if you marry in the time specified. I was not unaware that many might be under engagements of marriage, and that such and many more might marry within the year, and hence I sought to provide for your case. This was the *best* I *could* do, and I am sensible if you take advantage of this provision of the bill, that it will not only be a blessing to the Territory, but to you, and that you and the *portioned* fortunate ones will alike applaud the wisdom of the provision. The above may be taken as the mode of operation adopted by me, both in committees and in either House, to secure the adoption of these provisions as large as they are.

I always considered *future* donations of incalculable value to Oregon, as a means to hasten her growth; and in my correspondence with intended emigrants to Oregon, I am fully sustained in my former opinion as to the *magic power* such a feature in our land bill will have to induce immigration. I therefore struggled for the feature, and got it, and I have no doubt the immigration of 1850, as well as those who shall come after, who, by reason of my efforts, find a home and a resting place prepared for them upon their arrival, will justify the deed, and render to him who performed it, that generous appreciation to which it is due.

The time during which these future donations are to continue, was five years in the bill as it passed the House, that being the longest time I could get in that body; but it was cut down in the Senate to three years, during the continuance of that violent onslaught which was made

upon the bill in that body. I might have got the House to non-concur with any of the Senate's amendments; but knowing it would work out the certain defeat of the bill, for want of time, I *professed* in the House to be satisfied with them, for the sake of the measure, when I was far from it. Had there been time, I could have got the odious provision which virtually gives the power to military officers in Oregon to reserve any man's farm, blown to the four winds. Upon consulting with Oregon's best friends in the Senate, such as that old standby, God bless him, Col. Benton, and the young giant, Douglass, we concluded it policy to let it pass, and make war upon it in future. And I most sincerely hope our Assembly and the people will move in the matter, and petition Congress to provide, in all cases when a reserve for public purposes is necessary. to have it limited by law to a specific number of acres, so as not to ruin any man's claim on which it may fall. This is due to the settler.

For that feature in the bill which secures the wife in one-half of the land to be granted, I am sure I shall be justified by the men and by the ladies at least. I have long since entertained the opinion, that there was more danger in placing woman too low in society than too high; and I think it is a fact too well settled to admit a doubt, that no people can rise to true greatness, where the worth and the rights of woman are unappreciated, and where their spark of genius is hid by false notions of her position, and the emanations of her mind shut out by the veil her beneficiary, man, may have arrogantly wrought. I am not of those who would advise her to change her sphere which she appropriately fills, with such effect on the world, for one of strife, and politics, and civil or military commotions; but I would throw around her all the protections and safeguards necessary for her safety. They hold the future destiny of the nation in their gentle grasp, and the master spirits of the rising generation are now being moulded by their skill. Let them then, *realize* the enlarged views of the nineteenth century, that they may the better give the finishing touch to the models that are about to pass out of their hands. The feature, moreover, was a very popular one, and gave strength to the bill. All former action in Congress had contemplated something of the kind, she breasted the dangers and hardships to Oregon, expecting to receive it, and I must say that she is, in my judgment, entitled to it.

This land of the wife will serve as a homestead exemption to the family, and it was with this view also, that I contended for this feature of the bill. While the wife has a home, the husband and children are sure to have one. If, then, the husband fails, or if misfortune overtakes him, he may return to the *sanctuary* of that guardian angel, his wife, who is ever watchful of his interests, and solicitous for his comfort, where he can rest from his troubles and be happy. I deem it highly important, and I care not how widely my doctrine is known, that Oregon should adopt the policy of legislating favorably for the masses at the earliest possible moment, and that she should throw around every one of her citizens a protection by way of *homestead exemption*, by which, with his ordinary industry, he can secure an honest and easy livelihood, and be protected against the hands of unfeeling oppression, and saved from the jaws of pinching want. In this way every man will be placed on an eminence, where he *can be a man, and his own man*; where he can be an independent suffragan, beyond the compelling grasp of the rich lord or politician, and where, viewing all measures for himself, he can think, and speak, and vote as a well directed and untrammelled judgment shall direct. Hence, I favored the provision of the bill which passed the House, declaring this land of the wife not liable to the husband's debts or the grasp of his creditors, or subject to their control. That was stricken out in the Senate, to satisfy the scruples of some, that it was meddling too far with the domestic legislation of the Territory. It was said our assembly can pass such a law, which I hope they will do at their next session; and whenever we form a State, that this and the homestead exemption feature will find a place in our constitution. It is due to the wives and mothers of the Territory, as well as to the laboring masses who are always the soul of the State.

That feature of the bill which provides for those becoming twenty-one in Oregon, was put in the bill when the time of the continuation of the grants was fixed at five years; and aside from being intended to meet the case of such minors as should emigrate to Oregon, and arrive at majority during the continuance of the grants, it was meant also for those in Oregon not eighteen on the first of December, 1850, but who might become twenty-one during the next five years. As the bill is amended, it will not meet the case of any in Oregon not being eighteen at the time mentioned, because not being eighteen then, they will not become twenty-one till after December, 1853, but only the case of those, who being eighteen, may not be in Oregon at the time, but who may arrive there before becoming twenty-one, and reach that age before December, 1853. I considered it a just provision, called for by the demands of our Territory for settlement, and therefore procured its adoption. I doubt not its approval by you all.

You will readily perceive there is no provision in the bill to bring any part of the lands of Oregon into market. There was an attempt of this kind made, but I had no hesitancy in opposing it with all my might. Had the bill contained such a feature, *every acre* of the land west of the Cascades, fit for agricultural purposes, or for lumber, or any other profitable use, would have been immediately purchased by speculators; for I had evidence satisfactory to me, that the eyes of more than one speculator were turned that way. The result would have been to defeat the whole effect of that feature of the bill providing for future immigration, to shut effectually, the door to the increase of our population from this source, and to blast the Territory and all our prosperity for long years to come. We must look to this, and when December, 1853, comes, a strenuous effort should be made to continue the donations in proper quantities; and if we fail in this, to have our

land sales so protected by law as to provide against those land speculators who have been the bane of all new States.

I deemed it no more than right, that any person who had, under the Provisional Government, or since, completed his four years residence and cultivation, should get a final title to his land upon proving that fact. Hence, I took care to provide for that case, and I deemed it equally just, that when there was a survivor of marriage, that the rights of the deceased partner should descend to such survivor and heirs, so that the woman who has lost her husband, or the man his wife, and is single at the passage of the law, may receive his or her part, and come in under the law of descent for the balance. It is impossible for me, in this address, as I should like to do, to make a minute commentary upon the whole bill, with my reasons for the same, and I must pass on to a few more general features.

The next feature to which I will invite your attention, is that part securing *your claims as you have taken* them. This was a very delicate subject to manage. I held consultation with some of the *fast* friends of Oregon, and it was not deemed safe to *profess* in our bill, to disturb the usual mode of surveys. We therefore agreed, first, upon the language in the sixth section; that the settler was to notify the Surveyor General of "the precise tract or tracts" claimed; and, when it was "practicable so to do," the land is to be taken by legal subdivisions. If nothing else had been said in the law, the surveyor being made, purposely, judge of the practicability, and as a matter of course, friendly to the interests of the people, it was believed he would have considered it impracticable in most cases, at least, to disturb the lines of our claims, if correct in quantity. But we desired to have him bound up by the law itself, if we could get it done without exciting the alarm cry, that we were to purposely make inroads on the usual surveys; for it is considered proper and legitimate, for one who is conducting a bill, to reach his point by *any parliamentary* tactics he pleases to adopt. To reach the object, therefore, those claims were not required to be in square forms, as the full section ones would be if run in the usual manner, but they were only required to be in "compact forms," that is, in a body, and not in disjointed parcels. And here I had an eye to those claims which had been taken in oblong form. To make the matter plausible, therefore, the claimant was only to pay the expense of running his claim, if it varied from the usual lines. To make the matter more safe, we inserted the proviso "That after the first of December next, (1850,) all claims shall be bounded by lines running east and west, and north and south;" and further, "that after the survey is made, (before the claim is taken,) all claims shall be made in conformity to the same, and in compact form." These provisions declare, and were so intended, two things negatively; first, that the law contemplates that claims made before December, 1850, would not conform to cardinal points; and, second, that such claims need not conform to surveys of the country, if taken before they are made.

Such was the state of the bill, considered sufficiently plain to secure the claim as taken, when it came up in the House. While it was under discussion, I got a distinguished member on the Whig side of the House to offer the following: "*Provided, further*, That in all cases provided for in this section, the donation *shall embrace the land actually* occupied by the settler thereon," which is to be found in the 4th section of the bill. I was immediately asked by the other side of the House if that was right, to which I assented, of course, and it prevailed. That each man actually occupies, in contemplation of law, his claim or land, as he has defined it, and as known and recognized by the late Provisional Government, is too plain to doubt; and hence the Surveyor General is estopped from doing otherwise than what he is enjoined by law to do. If he is directed to give the land occupied, or what you are in possession of, and your possession extends to the lines you have designated, as was always adjudged under our Provisional Government, then, he cannot find it practicable in such cases, to run your claims otherwise than you have taken them. And if the claim is too large, it must be meted out inside of the original boundaries; but, if too small, then when enlarged, if it can be, it must "embrace" the original area. Such was the construction of the law, given to it by those who had more immediately its construction in charge.

I found it absolutely unsafe to attempt to get any grant, to any one, whatever might be his occupation, without the actual residence and cultivation. I intended to have got a provision of this kind to meet the case of our mechanics, who find it convenient to live in town; but the open attempt would not only have signally failed, but would have jeopardized the whole bill. Such a provision would have met my own, and the case of a brother-in-law, but I did not feel at liberty to make any attempt to secure even my own interest, at the risk of injuring your claims in the success of the bill. I was told that any provision not requiring residence, would be worthless, as Congress could only require improvements or cultivation, without particularizing, and that one hill of potatoes, or one length of fence, would meet the case. They said it would be injurious to the country schools, by preventing the country from being thickly settled; that it would retard the agricultural growth of the country; and thouge it would very properly meet the case of many deserving men; it would open the door to frauds and speculations, by all means to be avoided. This is my excuse, and I have no doubt my motives will be appreciated. My enemies will certainly contend that I would not lose an opportunity to subserve my own interests, and will hence conclude that I could not get such a provision.

You will perceive, by reading the 9th section, that none of you will lose your claims by the provisions of our organic law, devoting the 16th and 36th sections to school purposes. This was a delicate question also. I had to labor long and hard, with one of the best friends Oregon has got, Hon. Willard P. Hall, to get him to consent to this section. The purport of the section is, that

if you locate on a school section *before* the country is surveyed, you hold your claim, not otherwise. This, of course, is the case with all of you who may fall on those sections. By the existing laws, other lands can be taken when the country is surveyed, to compensate the school fund for the loss occasioned by the operations of this 9th section. In this too, I labored hard to subserve your interets.

Deeming the education of our children and their descendants, the only sure guaranty for the future prosperity of Oregon, and the preservation and perpetuation of her rising greatness, I considered it my duty to do what I could to procure the means of education. The quantity of two townships of land, secured in the 10th section, had heretofore been set apart in other Territories, to remain for the use of the States which should arise from such Territories, and could not be touched until that time arrived. In other cases, the townships had been given in a body, the good land with the poor. I had a very hard struggle before the Committee on Public Lands to get this quantity of land at the disposal of the *Territorial* Assembly, and to get it for the Territory as such. But I succeeded, by laying before them our isolated condition, and the necessity we had for a College, where the higher branches could be taught. When we become a State, we shall also be entitled to two other townships. In the present case the Assembly may *pick* the land in great or small quanties, by legal subdivisions, any where they please, if not occupied, so that it may be so located as to be of immense value. I am sure I shall need no apology for doing this But it may be objected, that it is at the disposal of the Assembly, or, otherwise, at the disposal of the people. In the first place, it could not have been obtained for an institution founded by private means or men, or by one denomination or more. In the second place, if it could, and it had been granted to any particular institution or denomination in the country, all others would have objected that it was partiality. In the third place, if it had been divided among them all, it would have been of comparatively little or no benefit to either. Under this view of the case, there was but one plain way for me to pursue, which I trust will be satisfactory to all. The matter now rests with the people. That people are made up of all denominations, and to doubt a plan can be devised for the founding of an University, alike beneficial to the State and to all, and in which all denominations can meet on common ground, is, in my judgment, to doubt the wisdom of the people and their representatives. I was governed by the same reasons in placing the proceeds of the Oregon City Claim at the disposal of the Assembly.

I come now, fellow-citizens, to the last feature which I shall examine in this bill. I would be glad to say more upon it, by way of commentary upon its construction, but the great number of questions calling for my notice will not allow of it. I intend, and I have intended from the beginning, to meet this question manfully and fearlessly, because I do it with the approval of a good conscience, that, under the circumstances, I have done right; that I have done what the interests of the Territory demanded, and what the stern demands of justice required at my hands. I allude to the reservation of the "Oregon City Claim," and the confirmation to the legal assigns of the Willamette Milling and Trading Company, of "the Abernethy Island," which is provided for in the 11th section of the bill.

It is sufficient for me to state here, without going into proof, that I do not now, nor did I, while that land bill was under consideration, consider Dr. McLaughlin entitled to any *favor* or *gratuity* from the American Government. I believed then, as I believe now, and I have no doubt the proofs in existence will sustain it, most triumphantly, that he has devoted long years of his life in the service of British Kings and Queens, in seeking to wrest the whole Territory from our Government, and acting the spy and informant, to place more effectually the means of doing so in the hands of our enemy. I believe, too, that for a considerable portion of his life, he has labored assiduously, to force back the settlement of our Territory, and to stifle and bear down, by all the means in his power, the throes of young Oregon to be delivered from the burden of foreign oppression, and from the chains and manacles of British power. And I believe you will agree with me, that his attachments are not with us, that his heart does not palpitate with true American blood, and that now, he has no wish for the prosperity of Oregon, *any further* than *he* can turn it to profitable account. Aside from *this*, the death of Oregon would not bring tears in his eyes, nor the sight of her pall cause him to turn away and weep. These are my opinions, founded as I believe in facts, and hence I believe, that as betwixt him and Oregon, or him and the United States, all things should be decided by the rigid rules of right, without favor or affection, fear, or hope of reward. And this I found to be the sentiment of the nation as exhibited through their representatives in Congress. I therefore determined from the beginning, to deprive Dr. McLaughlin of *none* of his rights, but to leave him where the law leaves him, and where the treaty of 1846 left him. If he owns the City Claim by virtue of that treaty, that ownership is not touched at all by the Land Bill; if he does not own it, or any part of it, let him show cause why the Government did not own it; and if he fails in that, then, why the Government had not the right to dispose of it.

I therefore wish you to understand, and to understand distinctly, that the 11th section of the Oregon Land Bill meets, and did meet, my cordial approbation; that it was framed by my dictation, and passed with my sanction. To you, then, I appeal, and before you I lay my case, and to you I look, as a high-minded, American-loving, Tyranny-hating constituency, for justification; and in the shadow of your favor, I expect to find shelter, protected by the ægis and shield of your

power, from the weapons of the traducer, and the blood-thirsty dogs of war he may let loose on my track, to hunt down the foiler of his wiles, and the object of his hatred. I considered it a question between the youth of Oregon, clamoring for an education, and the gorged representative of moneyed power.

It is well known by many of you, that the Abernethy Island has been for a number of years in the possession and exclusive occupancy of the Williamette Milling and Trading Company and their assigns; that this spot was pitched upon by a few friends of Oregon as a last resort, after being forced from the main land by the Hudson Bay Company's "Chief Factor" this same McLaughlin, for the purpose of erecting a mill where American citizens could fetch their grain for grinding. It is known, too, to many of you, how hard that Island used to be of access, especially in high water, and how Dr. McLaughlin strove, in defiance of the expressed wish of the people of Oregon through their Legislature, to prevent Governor Abertheny, who had then become the proprietor, from building a bridge and railway to it; and that this same Doctor was compelled, as it were, by the rising indignation of the people, to abandon his opposition. Notwithstanding the immensity of the water power at Oregon city, no man has been allowed to get possession of a particle on the main land, and the Doctor has been threatening to exercise his *pretended* right to the island by ejecting the owners of the mills. With that Island and the Oregon city claim, with its water power, Dr. McLaughlin would be in possession of the key to the arch of Oregon. Who does not contemplate a canal around those falls at some future day? And who more than the people of all that vast country on the Williamette, above the falls, are interested in it? Yet, if Dr. McLaughlin had once got hold of this claim to the extent he desired, every farmer and every man in all that upper country, doing business by way of the river, would have had to pay *tribute* to this Cæsar. This half-salaried officer of the Hudson Bay Company, this Plenipotentiary of all Her Majesty's dominions West of the Rocky Mountains, would have held the key to the door of your outgoings and incomings, and been able to laugh defiance in your teeth. Where would have been the mills and machinery of Oregon city, propelled by water power, and who would have owned them but Dr. McLaughlin? Who could have got one cubic foot of the Williamette's waters? He could monopolize all the lumber, all the flour, and everything manufactured at Oregon city. These, with other reflections, satisfied me, that looking to the prosperity of Oregon city alone, to give this claim to McLaughlin would be ruinous to it. And so believing, and moved by a proper regard to the welfare of the Territory, I acted accordingly.

Subsequent to the attempt of McLaughlin to obstruct the improvements on the Island, Judge Bryant bought it at a cost of some $35,000. Previous to doing this, hearing that there had been difficulty with McLaughlin about it, Bryant sent a man to ask McLaughin if he was willing he should purchase, to which the reply was in the affirmative, with a declaration that he, Dr. McL., had no claims to it. This I have from Judge Bryant. At a later period, as I have been informed, though not till after my bill was framed and under way, Gov. Lane bought this Island at a very large price, in whose hands I suppose it still remains. Yet fellow-citizens, I am informed by Judge Bryant that Dr. McLaughlin's legal adviser told him, after Lane's purchase, that the Doctor would sue for the Island, mills, &c., and would get them if the technicalities of the law would allow of it. What sort of a soul does this indicate, first to entice a man to buy by giving your consent, and then denying it; and then wresting from him the property bought? But before I heard of any of those things, and without knowing for certainty who did own the Island at the time, I proposed to reserve it for the representatives of that Milling Company whoever they might be. Lane, as it seems, had bought this island, had met heavy losses on it, and had all he had in the world there staked; and it is no more than right that he should be made secure, although I never had a doubt but the representatives of the Milling Company would hold the Island, if adjudicated either under the treaty or by the principles of our provisional laws. But if Dr. McLaughlin or any other man had come into the possession of that Island as Abernethy, Bryant, or Lane did, I would have done just what I did, confirmed it to him. Suppose Abernethy had continued to own the mills and occupy the Island, who, if he had a spark of American blood in him, would not have burned with indignation to see him deprived of it, and all his property there, by Dr. McLaughlin? Who will deny that Abernethy should have had it secured to him, if he had continued the owner? And if Bryant or Lane became his honest successor by purchase, where is the philosophy that will deny them the same right? The report was raised that I was going to get this Island for McLaughlin; and who raised it? This same McLaughlin has been growling also at Abernethy's claim further down the river, and was intending to get the best part of that. His avarice urged him headlong, and these intentions to wrest from honest men their just rights, show that there is no mercy to the weak wherever his notions may direct him. He has been at large long enough without being bridled. I have bridled him at last, and have turned over the reins into your hands.

Were Dr. McLaughlin the only one concerned in this matter, and were the question of reservation only between him and me, I should not deem it necessary to say another word, nor should I. But word has reached me, nothing definite to be sure, that there is dissatisfaction with some to whom Dr. McLaughlin had presumed to transfer lots since March 4, 1849. A proper respect for these citizens, whoever they may be, requires that I should answer over to them in this behalf. If any citizen shall suffer by this law, I am heartily sorry, for I believe my acts show what has been my aim and constant desire, to watch the interests of the Territory generally, and, so far as possible, consistent with the general interest, and a due respect to the just rights and claims of all

others, to promote the interests and attend to the wants of every citizen. Certainly, I could have have had no earthly motive, identified as I am in interest with its growth, to injure any man in Oregon city, or the city itself; but so far as this town is concerned, as with every other, I would rejoice to see it flourish and its people prosper. All general laws are liable to operate more severely upon some than upon others; and were the lawmakers always to stop legislation when they saw their law would not bear precisely equally upon all, and when they might be unable to tell every extreme interest it would effect, a law would be a most diffieult thing to be made. No town site has ever been reserved yet, without effecting to some degree individuals interested to have it otherwise disposed of. I would most gladly, if I could, have shaped the law so as to meet the *just* and meritorious claims of every one by the words of the law itself, so framed as to meet every specific case; but not knowing the precise cases coming within this category, or the snares which might have been set to entrap the operation of a general law, and having reasons to believe, satisfactory to me, that no other period than the 4th of March, 1849, could be settled upon with any safety to the object of the general measure, I fixed upon that day, *up to* which, and *no further*, to confirm by the law itself what lots had been transferred. It will be seen at once, that I could have meditated no evil to the people of Oregon city, else I should have had none confirmed, for I had to *resist* the desire *among members of Congress to confirm none*; but to make McLaughlin pay back the money for what he had sold. I deemed it best to do what I did, by adopting the day I did, and confirming up to that time to prevent litigation. And I had no idea, nor had Congress, to acknowledge McLaughlin's right by any show of implication, or even permit it to be done, to dispose of the lands of the United States on American soil, and within the active jurisdiction of American laws. And had I fixed on any later day, I have reasons to believe, and do believe, that by the artifice of legal advisers the whole claim would have been transferred in such a manner, in lots, by sham sales, to persons who would have subsequently come in as sharers of the spoils, that not a foot of it would ever have been realized by the University.

When I left Oregon, and for some time previous, nothing of any note had been done in Oregon city by way of improvement, and nothing to my present recollection, by way of buying lots of McLaughlin. On the contrary, he was preparing to drive off those who had bought lots, but had not complied with their bonds. Since that time I have lately learned lots were sold by McLaughlin's agent, and assurance were given by this same agent, that the Dr. could hold the claim by virtue of the treaty of 1846. Now, if this be the truth, and lots have been sold and bought upon the strength of these assurances, and those assurances can be made good, and the Dr. hold the whole claim, the land law leaves these lot-holders in *statu quo*, just where they were before—they are safe. But if he can't hold it, or any part of it, as I don't believe he can, under the treaty, when the facts are sifted out, then those who have bought on the strength of these assurances, ought to blame their over-haste and credulity. Before I left Oregon, it is well known that I entertained the belief that McLaughlin could not hold this claim, particularly any considerable part of it; and it is equally well known that I expressed the opinion that he would not get it from the Government, and that I was opposed to it. Jas. Fruit, Esq., as well as Mr. Hansaker, if they have not forgotten it, will recollect fully, that upon consulting me, I cautioned them both against buying lots of McLaughlin, giving it as a reason, that he could not, in my opinion, hold the claim by the treaty, nor would get it by donation or otherwise, from the Government. I was free to say this at any time, and would have declared it to any one who had consulted me on the point. But, notwithstanding this, no sooner was my back turned, as I learned by letters for the first time, long after the land bill was framed and acted on in the House committees, and for what purpose, fellow-citizens, I leave it for you to judge, than the hue and cry was raised, and nowhere more largely talked of than in Oregon city, that I was sold to Dr. McLaughlin, and was to throw my whole influence in Congress in his favor; among other things, to get him this claim, the island and all. And most remarkable as it may appear, men who circulated this report the most widely and with the fiercest condemnation, are now uppermost in their denunciations of me; and for what? *Because I was not sold*, and *because* I have *not* done *the very thing* for which they sought heretofore to *slay* me, for intending, as they said, to do. If the land bill had been framed in any shape, so that by its operation, Dr. McLaughlin could have got this claim, don't you fully believe that I should have been charged by some of those same men, to the very day of my death, with corruption and bribery? And who don't believe that if I would have consented, I could have made money by such operation? And don't you believe, that at the next election, every vale and every hill top, county, village, and private dwelling, would have been deafened by the cry of this same influence to that effect? I have taken shelter once before from similar assaults, and from the same influence, behind the breastworks of your construction, where I now stand and expect to stand at the next election, covered by your shield from the storms of slander and denunciations of enemies, which will be attempted to be showered on my head. And while I am taxing tired nature to the utmost of its capacity, in laboring for you all, need I appeal to a generous constituency to shelter me from these assaults? And shall I feelingly implore you, in vain, to protect me and my reputation from the grasp of the spoiler? I shall await calmly your response, for I have known many of you before. But if this hue and cry was raised, about being sold to McLaughlin, not to overthrow me, but to encourage the sales of these lots, under the belief that the Dr. would surely get a title to the claim, or for both objects combined, and any one has been taken in the meshes of the fowler, I am not responsible for the con-

sequences. Such should have waited till they had received better information. Had I nothing more to say, I should go to the people with the fullest confidence in being sustained.

But while I took care to frame that law so as to guard the interests of the whole Territory, and so that it should not be surprised by the ambuscades of the enemy, I also took care to provide means by which, if any one should have a *meritorious* claim for redress, and could not get it from McLaughlin, he might get it from the people, ever ready to do right, through their representatives in the Assembly. Hence the bill was *purposely* framed with an eye to this point, as Dr. Fitch, who, aside from myself, had more to do with getting up this bill than any or all other men in Congress, will testify. He can tell you that I mentioned the point to him, expressing my desire to do justice to all lot holders in the city, but that I consider it, and so told him, the only safe way to place the matter in the hands of the Assembly, and that I purposely had the bill so framed, that the Legislative Assembly have ample power to do justice in the matter. What will be right in any particular case, and what the *merits* of each case, the people, through that body, are amply competent, as I believe, to judge. He who fears to go before them with his case, has in it, as I apprehend, no particular merits. Therefore, in the language of the *law*, this claim is "set apart," and is "at the disposal of the Legislative Assembly, the *proceeds* thereof to be applied by said Legislative Assembly, to the establishment and endowment of a University." Next all lots or parts of lots sold or donated by McLaughlin, *previous* to the 4th day of March, 1849, are confirmed to the purchasers or assigns. Here, then, the title to all lots transferred before that time, are forever settled, and comes directly from the Government; and certainly this is much better than to have them rest on the precarious basis they did before. It saves the making of all deeds and bonds, attorney's fees, &c., and in the end, no doubt, much litigation. The Assembly are made the judges how they shall "dispose" of this claim, or *what price* they may take for any specific part of it, and may deed any lot they please for *ten* cents. This was my design, not that they *should*, but that they *might* do so, as Dr. Fitch will tell you, because I believed and had full confidence that the Assembly, upon view of each case, would do to the very last letter of justice, and that if it leaned at all, that it would lean against itself. That Assembly can judge what is right. If any man has bought a lot meritoriously, or has built upon one, or has expended money in any way, and *must* lose thereby, unless he gets the lot, and has no competent remedy elsewhere, the people of Oregon, through their representatives, can easily tell, and telling, I will undertake to predict, will meet out, liberally, the last farthing of justice to the applicant. Such was the intent of the law. I had no doubt the Assembly would confirm some lots for a merely nominal value, but how many, to whom, and whether they would confirm *all*, I could not tell, as I had no means of knowing. I could not act with safety, because I *believed* and had *good reasons* to believe that, had the bill contained a general confirming clause of lots sold after the time named, every foot of this claim would have been covered by well planned devices. But I could not particularize; and being determined not to be overreached, I turned the matter over to you, fellow citizens, to determine; and shall I be rebuked for having confidence in you? I had no desire to wrong any one, and could have none. And I will go as far and do as much as any man living, here or elsewhere, to have justice done to those lot holders; but the Assembly is the proper judge. Let that body decide and I am ready to act. This bill was purposely worded, so that if any part of this claim has been transferred to *steal the march* on the Government, and the present holder be *particeps criminis*, either before or after the fact, the Assembly is competent to determine; and this also was the intent of the law. If any man believes the Assembly will do wrong, and particularly knowingly, his confidence in their intelligence and honesty, does not tally with mine. Now, then, what have I done, and for what am I to be condemned? I have sought to injure no man, but studiously looked out for the safety and protection of all. I have put all titles to rest, of lots transferred before March 4, 1849, and would have done so with all meritorious cases, had I known them, or could I have acted with safety; and I have studiously provided, that all purchasers after that time may have justice done them, and if they have meritorious cases, which I won't doubt, they can get a title from the highest possible source. This is my offence!! If the issue is, that McLaughlin ought to have had the claim, I meet it, and go to the people's tribunal; but if the issue is, that the bill should have confirmed all lots, absolutely, transferred after March 4, 1849, then, with my explanation, I most cordially meet that issue, and go to the same tribunal.

But I have no doubt, upon reading what I have here said, and after reflection, my course will be satisfactory to all; that persons who suppose themselves injured, will see and confess they were too hasty to condemn.

If it is said the present law will leave the title to the claim or any part of it in doubt, I reply, that if McLaughlin and the assembly differ as to their respective rights, and cannot agree, the matter can be tested by suit. To the objection that this will take time, I answer, that that objection amounts to this; that you must have given McLaughlin the claim. Every man who deserves his lots, bought after March 4, 1849, will, as I have no doubt, get them, according to the intent of the bill, if the assembly holds the claim, or any part of it; but if McLaughlin, then he gets them of course. Those purchased before that time are equally safe either way. For one, I want this phantom, termed possessory right, settled. Here, then, fellow-citizens, I leave the land bill. If it is thought I have said too much, I reply that, as it seemed to me, I could not have said less.

In my canvass before the people, I promised to do what I could to procure an appropriation for a penitentiary. Such an appropriation had not been customary for new Territories, as the only precedent bearing on the case was in Iowa. However, in conjunction with the delegate from Minnesota, who was striving for a similar appropriation, I succeeded in getting an appropriation of *twenty thousand dollars* for this purpose. Perhaps you have seen the law published in the Spectator. This sum is to be expended under the direction of the Assembly, to whom I consider all such things more appropriately belong. The money is for the benefit of the Territory, and by the people of the Territory should be managed. This sum swells my appropriations for Oregon, the last session, to $80,000.

You will many of you recollect, how chagrined we felt at the smallness of our appropriations for public buildings. I also promised to do what I could to get an additional appropriation. I succeeded in that, and an additional appropriation of *twenty thousand dollars* was made at the last session for that purpose. This makes our appropriation for this purpose, $25,000, five thousand more than has been usually appropriated to other Territories. Yet this is not enough, and I have no doubt more can be obtained at a proper time. This last sum, however, raises the sum before mentioned, to $100,000, all of which was procured last session.

Soon after my arrival at Washington, I found there were certain books and scientific works, known as Capt. Wilkes' Exploring Expedition, costing the Government, when all are completed, some fifteen hundred dollars per set. One set of this work had always been given to every new State, as it enterd the Union, but none had ever been given to a Territory. I procured the passage of a *joint resolution*, giving this work to our library. Here then are fifteen hundred dollars more.

At a very late day of the session, after the Civil and Diplomatic Bill had passed the House, the papers containing on account of the taking of the censns in March, 1849, found their way to the Department of the Interior, showing how much money had been advanced. I was unable to find any recommendation for an appropriation to meet the case, or how much was intended to be allowed for the service, or how much was thought to be a just compensation. Some over $600 had been paid. I immediately applied to the Committee on Finance, of the Senate, and got them to put in an amendment to the bill in these words, "For taking the census in the Territory of Oregon, under the act of fourteenth August, 1848, one thousand five hundred dollars." This I deemed not more than enough to meet the expense of that service. This raises our sum to $103,000.

Being fully acquainted with the embarrassments under which you held your first session of the Assembly, I was satisfied that you would need more than sixty days for your next annual session. I therefore got a bill passed allowing the session to be prolonged to ninety days. This increased the expenses of the next Assembly between three and four thousand dollars. To meet this and the other expenses of the Territory, I got appropriations to the amount of $35,500, swelling the sum total, so far, to $138,500.

I attended, at an early day of the session, to getting an appropriation for our light houses under way. First, bringing the subject to the notice of the Secretary, he caused to be ascertained, the expense of procuring and transfering to Oregon, and erecting three light-houses, and locating the requisite number of buoys. Some slight provision had been made in the bill organizing the territory, for two, but I thought I would try for more, so I got appropriations for three; they are to be of the first quality, and of iron. The light-house bill was not reported till late in the last session, and there was a fixed determination, by many, that it should not pass, as the appropriations had already reached to an immense sum. To pass at all, during the session, it had to be called up out of its order, and that took a *two-thirds* vote; and if I can say anything truly, I can say that this bill would not have passed, had it not been for my untiring exertions on the last night of the session, in *drumming* up and getting into their seats, such members as would vote for taking it up, and for its passage. Many a one did I have almost to drag into his seat, in time to answer to his name within the bar of the House, and as it was, the passage of the bill was only secured by but a bare majority on several occasions. True, on its final passage it had votes enough, but the struggle was in getting it up, and intermediate motions made to defeat it. To show you the perfect confusion things were in, and the danger it was in, as largely as ——— was interested, all of her members lost their votes on the bill, by not being at their post when their names were called. But we carried it, and in it was the following:

"For a light house on Cape Disappointment, at the mouth of the Columbia river; and one on an island off Cape Flattery, at the entrance of the Straits of Fuca, and one at New Dungeness; twelve iron can buoys in Columbia river, and the transportation, erection, and placing of the same, fifty-three thousand one hundred and forty dollars"

Which swells the sum got for Oregon during the last session, to *one hundred and ninety-one thousand six hundred and forty dollars*. We need more appropriations of this latter sort, and many more light houses on our coast, and should I be elected I should diligently labor to procure them.

I also had an appropriation in the river and harbor bill of ten thousand dollars for surveys, preparatory to making the necessary improvements, by the Government, in the navigation of the Columbia and Williamette rivers. On account of the press of business, and the violence with which this bill was assailed by some, it was not taken up for the session. It therefore stands on the calendar with the unfinished business, to come up next session in its order. Should it pass, the appropriation will be safe. At any rate I shall labor for appropriations of that kind, and do all

I can to promote the navigation of our growing country. With this object in view, if elected, I shall labor strenuously for lighthouses and buoys, and the other necessary improvements at the mouth of the Umpqua river, as well as at all other harbors on our coast. The great work of improving Oregon, and developing her resources, is but just begun; and we should all labor together, and harmoneously contend to raise our prospective State to that eminence for which God and nature have so clearly fitted her.

You may have learned that very soon after my arrival here, I turned my attention to the survey of our coast. And perhaps you will have seen sketches of my efforts in the House published in the Spectator. When I first took up the matter in the House, although I was opposed by the Committee of Ways and Means, there was a good prospect of getting the necessary appropriations; but an opponent of the measure took advantage of the lateness of the day, and to defeat it, moved an adjournment. Hence, it was the *first* thing in order next morning, and coming up before the members were fully in, and not being fresh on their minds, it failed. Not despairing, I again got the Secretary of the Treasury to recommend it to the Committee on Finance, as he had to that of Ways and Means, and in this way I got the Civil and Diplomatic Bill amended in the Senate, by inserting an appropriation of $40,000 in addition to $12,000 already in the bill. A mistake was made, and the bill came into the House amended by the insertion of only $25,000. Here, again, the Committee of Ways and Means took ground against it, and it being under discussion late in the day, the same movement was made as before to defeat it by adjournment; but next morning the manœuvre was better understood and fully met; and first getting the Senate's amendment amended to $40,000, I moved to amend that sum for the purpose of making some remarks to aid its success at $40,000. Finally, the struggle terminated by the amendment prevailing; so that I secured another sum here for Oregon and our coast of fifty-two thousand dollars. This added to the sum total before named, makes $243,640.

But I wanted some appropriations for roads and bridges. Appropriations of this nature had been made in other Territories, but to a very limited extent only. The delegate from Minnesota and myself, each wanted more, by double, than had been usually granted, at any one session, to any other Territory. So we brought his matter before the committee and got a bill reported for him, for $40,000. This done, mine was brought forward next, and a bill was reported for $45,000. But how to get them through was the question. My Land Bill was behind, and I determined to sacrifice every thing on the altar of that. Besides this, there was danger of losing either of them singly, much more, both together. If we could crowd his through, which stood a better chance than mine, I having such a string of measures on the calendar, then there would be a *precedent*, so that the success of his made that of mine morally certain. I dared not press mine, till the Land Bill was through, so we put his ahead, and it passed, and is now a law. To get my Land Bill through, I finally promised (seeing I had teased them so much) if they would fetch me out of that scrape, I would ask no more for the session. Thus my Road Bill stands on the calendar, and comes up in its order next session. It may be considered the same as passed, as it is a standing rule of Congress, practically, to use all Territories alike. The money, therefore, I consider just as secure to Oregon as though it was a law. And hence, being added to the other, makes $288,640;

There is also a bill before Congress, standing on the calendar, to come up next session, making the judges of Oregon and Minnesota elective. This I believed would meet your aprobation, as it does mine, believing as I do, that the election of all officers in our Territory, so far as it can be constitutionally done, should go before the people, for I am no friend to the long-since exploded doctrine, that the people, and especially an educated and intelligent people, like that of Oregon, are not capable of selecting their own officers.

I also turned my attention to promoting the mail facilities in Oregon. Immediately after my arrival here, I ferreted out the intrigues by which you had been deprived of your mails and mail service, for two years, and got the mail steamers ordered to Oregon, and the service to commence as quick as it could be demanded to be done under pre-existing contracts. Having done all I could to aid the progress of the Columbia, which was intended for our waters, and to be owned by our own citizens, when that fell through, and the steamer passed into other hands, I commenced operations to get this steamer brought into our waters, because her draught was such as to enable her to enter any of our ports, or traverse our rivers. I succeeded in getting this done, and the steamer has long since been on her way to Oregon. When I found that I could not get any reliable assurances that these steamers, or that the Columbia, should run up the Columbia and Willamette with the mails, the Pacific Mail Steam Company being obliged to come no farther up than Astoria, I undertook to get that company to put a steamer on to these rivers. I did not know that our citizens had got a steamer, or that any would be on these rivers, so that I acted with the motive, only, of procuring additional mail facilities and a better accommodation for our people. I finally got this promise, that they would put on a splendid river boat, would touch at Umpqua and at other ports south of the Columbia, with the "Columbia," when the people of Oregon might require it, if I would get them the mail to carry at a fair compensation, between Astoria and Oregon city. By my exertions, I did get them the mail contract, and a splendid river steamer, costing in the States, $55,000, named "The Williamette," at my suggestion, will probably reach your noble rivers before you read this address. I also got you a Post office agent appointed, and have had to contend hard to prevent Oregon's being made dependant on California officers for her mails.

I have caused the necessary means and instructions to be forwarded, by which your first Legislature was paid. I have got the Pacific Mail Steamer Company to bring semi-monthly mails from Panama to California and Oregon, without additional charge to the Government, until further provision shall be made for more frequent service by law, and have got the orders to have your mails leaving the States for Oregon, bagged in separate bags, so that you might not lose it in the California offices; and I have caused Post offices to be established all over the Territory where I knew or heard one was needed, and to make the whole work the more successfully, I have procured the following mail routes to be established by law:

"From Astoria, via mouth of the Cowlitz river, Plymouth, Portland, Milwaukie, Oregon city, Linn city, Lafayette Nathaniel Ford's, Nesmith's Mills, Marysville, John Lloyd's, Eugene F. Skinner's, Pleasant Hill, to the mouth of the Umpqua river. From the Umpqua valley to Sacramento city, in California. From Oregon city, via Champoeg, Salem, Hamilton Campbell's, Albany, Kirk's Ferry, W. B. Malay's, to Jacob Spore's, in Linn county. From Nesqually, via Cowlitz settlement, to the month of the Cowlitz river. From Portland, via Vanconver, to the Dalles of the Columbia river. From Portland to Hillsborough. From Oregon city to Harrison Wright's, on Mollala. From Hamilton Campbell's to Jacob Conser's, in Santyam Forks. From Linn city to Hillsborough."

These were the best routes I could think of; but if they can be bettered, as no doubt they can, to meet the wants of new towns, I should be most happy to have them so altered as to meet, in the best possible manner, the wants of the people.

The bill providing for the payment of the debt growing out of the Cayuse war has not passed. For this I am by no means to blame. I introduced a bill at a very early day of the session for that purpose, which was referred to the Committee on Military Affairs My bill, as framed by me, appropriated rising $200,000, and authorized the Secretary of the Treasury to use so much of it as was necessary to pay up that claim. This was the only shape the bill could be put in, because it was not known how much the debt amounted to. Bui the excitement growing out of what was known as the "Galphin Claim," which was paid by the Secretary of the Treasury, under a bill giving similar discretion to that officer, was a complete bar against the passage of of bills of this species. Consequently, the Military Committee assured me they must have the vouchers for the expenses of that war, with the official reasons for its necessity, before they could report any bill providing for the payment of that claim. I immediately wrote to Governor Lane, subsequently to Judge Skinner, afterwards to Gen. Gaines, and still later to A. E. Wait, Esq. urging each to hasten the auditing of those claims, and to have the necessary documents transmitted before next session. Up to this time I have received no reply, save a note from L. A. Rice, Esq., informing me that Judge Skinner was away, and that Mr. Wait was his successor in the office he held. These are the reasons why no further progress has been made in that matter. Should I be re-elected, I should exert myself to the utmost, to secure the payment of this demand; and I will add, from what I know of Congress and its feelings towards us, its payment is sure to be made. When this war is once recognized, if elected, I shall look out to get pensions for those who were crippled or injured in it, and to get a bounty of land for each of the men who served in it, such as he would be entitled to under the late bounty land bill, provided the Cayuse war had been carried on by the Government. For my efforts in this behalf, if elected, all may fully rely.

I have also, since I have been here, got Portland and Nesqually proclaimed ports of delivery, and got Surveyors of these ports appointed. I have been fully aware, meanwhile, that the growing wants of Oregon will soon, and even now, demand other ports of entry and delivery. In California they have ports of entry at San Francisco, Benicia, Sacramento city, Stockton, Monterey, and San Diego. I have no doubt, therefore, that Oregon will need, aside from the port of entry at the mouth of the Columbia river, one at some eligible point in the region of Nequally, one at the mouth of the Umpqua, and one at some convenient place for the more immediate accommodation of the Williamette valley, a place occupying a similar position relative to the Williamette valley that the port of Stockton does to the San Joaquin, or Sacramento city to the Sacramento valley. The ports of delivery should be numerous enough to meet the demands of the country and the various thriving towns growing up on the banks of our rivers. We shall also want custom-houses built, more officers, and all the other paraphernalia attendant on the efficient collection of the revenue; all those things would occupy my attention if elected. We also want a naval depot, dry docks, marine hospitals, arsenals, military posts, and fortifications, particularly at the entrances of our harbors. We want a further appropriation for our library, for our public buildings, appropriations for court-houses, and particularly for the necessary court rooms at the seat of Government, and for a geological and topographical survey of our Territory, with the requisite maps and charts. We want appropriations for the buildings necessary for our Indian deparment, and for our land offices; and we want the salaries of our officers increased so as to meet the expense of living in the country, to continue, at least, so long as the present state of high wages and prices last. We want, also, military and Territorial roads, more enlarged mail facilities, the reduction of postage, which I procured to be done last session so far as reporting a bill is concerned, which is to come up next session with the unfinished business; and we want the lands of the Puget's Sound Company purchased out, and every obstruction to the settlement of our country removed. We want the Government should improve the overland route to aid our immigrants, and to establish more frequent and more efficient military posts on the road; and, in fine, we should never give up our efforts for the great National

railroad across the continent. The above are some of the things which would occupy my attention if elected. And I think my past efforts will show, that while I have been in your service, I have not been idle, though I have narrated but a small portion of my exertions, for Oregon. I trust my past course would be a guaranty of what my future would be. By far the heaviest portion of my labor has been in another field than Congress. No one knows but myself the overwhelming labors I have performed for Oregon, by way of correspondence with intended emigrants. When I arrived here I found no one thought of Oregon—we were entirely swallowed up in the California maelstrom which was drawing into its vast deep the multitude of the States. The fame of Oregon, what she had once had was now sleeping in forgetfulness amidst the panegyrics of California, and her voice which had been coming over the whitened crest of the Stony mountains was drowned in the clamor of golden reveries. With this odds against me, I commenced to wield my pen, and in company with the midnight lamp, and in despite of the remonstrances of taxed and tired nature, I have collected my feeble thoughts and sent them out into every State, and nook and corner of the whole country, as so many laborers to plead the cause of Oregon.

Every mail, almost, for the last year, has brought me letters seeking information about Oregon, and as many mails have borne back my replies, for I have made it a rule, that no man shall inquire after Oregon without being speedily responded to. Yet, with all my exertions, frequently prostrating my health, by over-taxing my constitution, I have found myself utterly unable to do what the interests of Oregon really requires in this particular. Hence I have advised the Governor to have the matter brought before the Assembly, to see if it would not be deemed expedient, while the donation grants of land continue, at least, to keep an efficient agent in the States, supported either by contributions, or by the Territory, whose duty it should be to devote *his whole energy* and all his time, to the promotion of emigration from the States to Oregon. I approve such a measure, and will, in proportion to my means, contribute as liberally as any one to aid the enterprise. I now have the satisfaction to know that the attention of the people of all the States is anxiously turned towards us, and I am willing to leave it to the next year's emigration, how much my efforts with pen and with paper, have contributed to produce this state of things. And I had hoped, fellow citizens, faintly to be sure, that with these my constant efforts in Oregon's behalf, to satisfy every one, and to convince my enemies that I was, heart and soul, with Oregon, to the end that they might cease to pursue and persecute me. In this I have been disappointed. While I have been laboring as above, I have, as I have been informed, been assailed in character and in reputation, as bitterly as though I had been Oregon's mortal foe. I am satisfied, therefore, that there are some who are not my enemies out of interest for you, but out of selfish motives. Those men I cannot expect to satisfy; for had I had the voice and lungs of a Stentor and the constitution of Hercules, and had worn them all out in Oregon's service; or had I had the trump of Gabriel, and, standing on your mountain tops, had waked up the whole world to the beauties of Oregon, and entranced the nations of the earth with my narrations of her glory; or if I had the power given me to make Oregon a Paradise, and her people angels, and were laboring with a right good will to do so, still the voice of these, my pursuers, would be heard, urging on the insatiate *pack* of well trained slanderers scenting my path. But I will fear them not and leave the matter in your hands. The people may err, but if they do, they will rectify it on reflection. I have all confidence in their integrity and judgment, and though they slay me, yet will I trust in them.

With these remarks, fellow-citizens, I submit my name as a candidate for re-election, and my case into your hands, feeling that they are both surrendered into the keeping of an intelligent public, from whom I expect to receive, as I have no doubt I shall receive, a response which will do justice to me and be a credit to Oregon.

Your fellow-citizen,

SAMUEL R. THURSTON.

November 15th, 1850.